

# BPA Human Resources Directive 410-09

## Occupational Medical Health and Wellness Related Programs

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## 1. Purpose & Background

Provides guidance for managing BPA's employee occupational medical and health/wellness services.

## 2. Policy Owner

The Chief Administrative Officer, through Human Capital Management's (HCM) Planning, Audit, and Governance Division (NHI-1), has overall responsibility for monitoring, reporting, executing, and maintaining this BPA HR Directive.

## 3. Applicability

Applies to all BPA employees and applicants for employment with BPA as indicated.

## 4. Terms & Definitions

- A. **Blood borne Pathogens:** Defined as pathogenic microorganisms, present in human blood, which can cause disease in humans who are exposed to blood containing the pathogen. These pathogens include, but are not limited to, hepatitis B virus (HBV) and hepatitis C (HCV) which can cause a serious liver disease and human immunodeficiency virus (HIV) which causes Acquired Immune Deficiency Syndrome (AIDS).
- B. **Disability:** For the purposes of the Reasonable Accommodation section, disability means: (1) a physical or mental impairment that substantially limits one or more major life activities; (2) having a disability as defined under 29 CFR 1630; or (3) a record of such impairment. Under 29 CFR 1630, the terms disability and qualified individual do not include individuals currently engaged in the use of illegal drugs.
- C. **Employment-Related Medical Evaluations (also known as Medical Inquiries):** Medical examinations that are used to determine an individual's ability to perform the essential functions of their job standards or position descriptions. These include pre-employment, pre-placement, medical surveillance, fitness for duty, and exit medical evaluations.
- D. **Ergonomics:** The science of relating people, their work, and the physical work environment in such a way as to optimize work procedures, practices, and efficiency while maintaining employee health and well being.
- E. **Job Hazards Analysis:** A technique that focuses on job tasks as a way to identify hazards before they occur regarding the relationship between the worker, the task, the tools, and the work environment. The analysis identifies uncontrolled hazards and remediation measures to reduce hazards to acceptable risk levels.

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- F. **Medical Standard:** A written description of the medical requirements of a particular occupation based on a determination that a certain level of fitness or health status is required for successful performance.
- G. **Medical Surveillance Program:** Required medical evaluations intended to identify and directly protect employee health from occupational hazards.
- H. **Other Potentially Infectious Materials (OPIM):** For the purpose of this BPA HR Directive, are defined as any body fluids visibly contaminated with blood or where it is difficult or impossible to differentiate between body fluids.
- I. **Physical Requirement:** A written description of job-related physical abilities considered essential for successful performance of a specific job/position.
- J. **Regulatory-and Safety-Related Medical Evaluations:** Medical examinations that are required by Federal Regulation to include OSHA mandated medical surveillance examinations, Department of Transportation medical evaluations, and Federal Aviation Administration medical evaluations.
- K. **Qualified Individual with a Disability:** For the purposes of reasonable accommodation, a person with a disability who satisfies the requisite skill, experience, education, or other job-related requirements of an employment position that he/she holds or seeks and who can perform the “essential functions” of the position with or without reasonable accommodation.
- L. **Reasonable Accommodation:** Reasonable accommodation as described in Title 29, CFR 1614, Subpart G, Prohibition Against Discrimination because of a Physical or Mental Handicap, may include making facilities readily accessible to and usable for qualified disabled persons, job/position restructuring or part-time or modified work schedules, acquisition or modification of equipment or devices, or appropriate adjustment or modification of examinations, among other things.
- M. **Undue Hardship:** Significant difficulty, expense, or safety issue for requestor or others as determined by a medical or safety professional that is unduly extensive, substantial, disruptive, or fundamentally alters the nature or operation of the business.

## 5. Policy

Employment-related medical evaluations ensure employees and applicants are able to perform the physical and mental requirements of their job or position. Required medical evaluations allow for early detection, treatment, and/or rehabilitation of employees with work-related diseases, illnesses, injuries, or impairments. BPA uses standard federal statistical methods derived from its health services program and other data to identify potential or existing work-related hazards.

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## 6. Responsibilities

As stated in applicable HR Desk References and/or Standard Operating Procedures.

## 7. Standards & Procedures

### 7.1. Occupational Medical Health — Evaluation, Surveillance, and Services

#### A. General Requirements:

1. BPA will establish and publish physical and/or medical requirements for individual positions when such requirements are considered essential for successful job performance. The requirements must be clearly supported by the actual duties of the position and documented in the position description.
2. Medical evaluations are mandatory for all positions with physical requirements, medical requirements, regulatory and safety-related requirements, or otherwise designated for medical evaluation through BPA Human Capital Management (HCM) and/or BPA Safety Offices. HCM may require or offer medical evaluation of applicants or employees not otherwise covered by medical programs and approve voluntary medical evaluations in accordance with 5 CFR 339.301(c) and (e) and 339.302.
3. Time spent undergoing medical examinations and evaluations under BPA's Occupational Medical Health Program is recorded as regular duty time for the purposes of hours of work.
4. BPA pays for medical evaluations ordered or required for employees whose positions have physical or medical requirements. Employees covered by this BPA HR Directive are allowed to have their medical provider provide their medical evaluation for them to give to BPA. However, an employee subject to a performance-based or conduct-based action who requests a medical condition be given consideration must obtain a medical evaluation at his/her own cost.
5. The BPA Medical Officer is exclusively authorized to approve medical protocols.
6. Employees will use a BPA-designated physician when management orders or offers medical examination. HCM may authorize an employee's use of another physician, e.g., using an employee's own personal physician, where use of a BPA-designated physician is impractical. BPA will not pay costs for an employee who chooses to obtain and provide additional medical documentation for review by the examining physician and/or the BPA Medical Officer.
7. A medical standard or physical requirement is waived when sufficient evidence supports that an applicant or employee who, with or without reasonable accommodation, can perform the essential duties of the job/position without endangering the health and safety of the individual or others.

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**B. Pre-placement and Pre-Employment Evaluations:**

1. These evaluations are required for positions with a medical standard, physical requirement, and/or potential exposure to hazardous materials. The evaluation is a condition of employment before being placed in such a position, i.e., prior to entrance on duty or when changing to a position that is subject to these requirements or has a different requirement from an employee's current position.
2. BPA vacancy announcements and recruitment bulletins will contain information about the inclusion of the position in the Occupational Medical Health Program and therefore subject to pre-employment evaluation.
3. HCM may medically disqualify a non-preference eligible on a certificate of eligibles; approve waiver of medical standards or physical requirements where appropriate; and approve use of other than a BPA-designated physician for medical evaluations ordered or offered by BPA.
4. No selectee, including for re-employment on the basis of full or partial recovery from a medical condition, may enter on duty into a position requiring medical examination until BPA receives required medical documentation. Employees occupying positions subject to the Occupational Medical Health Program will be informed about requirements during their initial employee orientation, and during employment changes, should their position require it. Applicants or employees who are medically disqualified from a position may request review of the disqualification by BPA's Medical Officer.

**C. Periodic Evaluation under BPA's Medical Surveillance Program:**

1. Medical surveillance involves mandatory medical testing of employees required to work with or around potential or actually hazardous materials.
2. HCM will assist the BPA Safety Officer in identifying, monitoring, and reporting on medical surveillance designated positions based on job hazard analyses. BPA employees are placed in medical surveillance programs based on the Job Hazards Analysis that includes industrial hygiene testing and results in consultation with the BPA Medical Officer. The designated Safety and Health Official is responsible to determine which employees are subject to specific medical surveillance evaluation in cooperation with BPA's Human Resources Director (HRD) or designee.
3. Decisions to exclude a position or positions from the Program may be appealed directly to the BPA HRD.
4. Tests or processes identified by a physician that are not identified in the medical protocol for a position are subject to approval of BPA's Medical Program Manager in HCM.

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- D. **Exit evaluations:** Employees assigned to jobs/positions covered by physical requirements, medical standards, and/or the medical surveillance program are required to undergo a medical evaluation upon leaving a job or position or immediately prior to their separation from or transfer out of BPA. The departing employee may request the evaluation from their personal medical provider at their own expense.
- E. **Voluntary Medical Evaluations for Live-Line Crew Members:** Employees officially assigned (as documented on a SF-50, Notification of Personnel Action) to Live-Line (bare-handing) crews are eligible for voluntary medical examinations, as appropriate.
- F. **Fitness-for-Duty Evaluations:** These examinations are for: positions with medical standards, physical requirements, and/or exposure to hazardous materials; when an employee has been absent from work due to illness or injury or has a performance problem; or whenever there is a direct question about an employee's continued capacity to meet the physical or medical requirements of a position.
- G. **Post-Incident Evaluations:** For any employee who has or may have been exposed to a hazardous or potentially infections material including blood borne pathogens.
- H. **Other Examinations and Services:**
1. Minor, routine, and emergency care: BPA's Health Services Program provides a range of basic services, including evaluations and screening, routine treatment and immunization, health education and counseling, and injury/illness medical emergency response. Detailed information about these services is provided in the HR Desk Reference. Such services include First Aid, CPR, and AEC training. Employees may use these services on Regular Duty Official time
  2. Health screenings, fairs, education, and counseling; and blood drives: Employees may be authorized up to 4 hours excused absence per leave year for health screenings per DOE O 322.1.
  3. When BPA's health services unit provides minor, routine, or emergency medical care, any subsequent hospital, ambulance, and physician fees are the responsibility of the employee unless the illness or injury is job-connected and covered by the Office of Workers' Compensation Programs (OWCP). All employees may receive up to 1 hour excused absence to use health unit services. If an employee is unable to return to work the remainder of the day, the time is charged to available paid leave or leave without pay unless the services are used as a result of a job-related injury or illness, in which case the remainder of the day is charged to excused absence.
  4. Excused absence will not be authorized for an employee to visit the health services unit on a regular and recurring basis. An employee may use other paid or unpaid time off, e.g., accrued leave, LWOP, credit hours, flexi-time, etc., for such purposes subject to management approval. Employees requiring recurring treatments and/or

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rest periods in the health unit must provide documentation from their physician to the health unit staff.

**I. Occupational Exposure to Blood borne Pathogens and Other Potentially Infectious Materials:**

1. All exposure incidents must be reported following the standard operating procedures and time limits in the HR Desk Reference.
2. Managers/supervisors must immediately release an employee from duty for medical follow-up after an exposure incident and follow all reporting procedures and time limits in the HR Desk Reference.
3. BPA will offer pre-exposure hepatitis B vaccine to those employees designated as emergency wardens and who, as part of the collateral duties of a warden are required to render First Aid. Declination of pre-exposure vaccination by such employees must be in writing.

**7.2. Health and Wellness-Related Programs**

**A. Employee Assistance Program (EAP):**

1. BPA’s EAP services are provided through a contracted employee assistance firm and an in-house psychologist, who is BPA’s EAP Manager. These counselors provide short-term, direct service, one-on-one counseling to all employees on a confidential, no-fee basis.
2. Assistance is available for problems including alcohol and drug abuse; marital and family relationships; financial and legal problems; emotional and stress difficulties; and other health and assistance topics. The full range of assistance provided is listed in the HR Desk Reference.
3. Employees and members of their immediate family are eligible for up to six consultation sessions each calendar year. Additional sessions must be approved by BPA’s EAP Manager.
4. All current full-time and part-time BPA employees and members of their immediate families are eligible for services at no cost. If an employee is referred to a community resource for specialized or long-term assistance, the cost of service is the responsibility of the employee.
5. Client confidentiality is maintained in accordance with State and Federal confidentiality statutes. Exceptions are limited to extreme crisis where a client or others are in clear and imminent physical danger.
6. An employee may be granted a reasonable amount of excused absence on official time for consultation with an EAP counselor. Use of official time for EAP services requires supervisory approval. Employees who wish to maintain total confidentiality

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must use approved leave or obtain EAP services during non-duty hours. Employees must use approved leave to obtain treatment outside of BPA.

**B. Physical Fitness Program:**

1. On-site fitness activities must provide a variety of activities, such as weight loss aerobic, strength training, and stretching activities. **Off-site fitness activities** must be provided by a fitness club or organization that offers aerobic, strength training, and stretching activities.
2. BPA supports physical fitness services based upon current employee needs consistent with prudent financial management. The cost of services will be shared between employees and BPA. BPA will provide on-site fitness facilities at the Portland Headquarters and Ross Complex locations and provide a reimbursement program to offset the cost of employees attending off-site facilities.
3. No official time is authorized for physical exercise. Use of on-site or off-site fitness facilities during an employee’s scheduled hours of duty may only occur with management-approved leave, leave without pay, compensatory time used, or credit hours used.
4. BPA expressly limits BPA’s liability for injuries caused by or medical conditions exacerbated by participation in fitness programs.
5. BPA will support Fitness Advisory Boards at Portland Headquarters and the Ross Complex. Boards will be composed of current on-site fitness members and will advise management on issues for the facility at their location.
6. Detailed information about eligibility, fees, and enrollment procedures for both on-site and off-site facilities is covered in the HR Desk Reference.
7. Supervisors and Managers certify claims for off-site reimbursement, i.e., they meet requirements, and approve on-site enrollment forms to Payroll, as outlined in the HR Desk Reference.

**C. Ergonomics Program:**

1. Program Objective: to provide a physical work environment that optimizes individual efficiencies and work processes. The program establishes resources necessary to support and maintain employee health and well being.
2. BPA’s Ergonomics Program is part of our overall employee safety and occupational health program. It provides resources necessary for certified evaluators to assess an employee’s physical environment, make recommendations, and implement changes to work processes.
3. BPA will provide ergonomic assessments generally to reduce risk for cumulative trauma disorders and also in response to specific requests related to reported

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employee symptoms of discomfort, temporary injury, over-use, etc., and in response to reasonable accommodation requests related to permanent medical issues, disability, and on-the-job injury.

4. BPA will provide training to employees and supervisors regarding cumulative trauma disorders, risk factors, and prevention in the work place.

**D. Substance Abuse Testing:**

1. BPA is covered by and follows all policies and requirements in DOE Order 343.1, "Federal Substance Abuse Testing Program."
2. The Deputy Administrator of BPA may authorize "reasonable suspicion" testing under DOE Order 343.1. Authority may not be re-delegated.

**E. Reasonable Accommodations:**

1. Reasonable accommodation removes workplace barriers for individuals with disabilities so they can enjoy the benefits and privileges of employment equal to those enjoyed by similarly situated employees without disabilities.
2. BPA's Reasonable accommodation directive applies to all BPA employees and all applicants for BPA positions.
3. BPA follows the interactive process described in the HR Desk Reference.
4. Reasonable accommodation equipment expenses generally come from the Human Capital Management (HCM) budget. HCM will notify other organizations (IT, Facilities, or the supervisor or manager) when it determines that expenses fall outside of the HCM budget.
5. Employees may appeal Reasonable Accommodation determinations within timeframes and as outlined in the HR Desk Reference. Employees may voluntarily request Alternative Dispute Resolution (ADR) at any time.
6. An employee may file an Equal Employment Opportunity (EEO) complaint at any point the employee believes he or she has been subjected to discrimination based on a disability. This includes before, during, or after the interactive process, or after the HRD's decision on an internal appeal.

**7. Pay-setting:**

- a. Annual Employees: If a requesting employee accepts a reassignment offer for a position at a lower grade level, the following rules will apply:
  - i. HCM will set the employee's pay using the grade assigned to the new position;
  - ii. If the position has multiple grades, HCM will assign the employee the highest grade for which he or she qualifies;

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- iii. HCM will set pay using the “Highest Previous Rate” (HPR) Rule described in BPA HR Directive 410-05: Employee Pay and Compensation Incentives.
  - b. Hourly Employees: If a requesting hourly employee accepts reassignment to another hourly job with a lower basic rate of pay, HCM will set pay according to the provisions of the appropriate collective bargaining agreement. If a requesting hourly employee accepts reassignment to an annual job, HCM will set pay using the HPR rule as described in 7.a. above.
8. BPA Human Resources Director or designee approves reasonable accommodation requests.

## 8. Authorities & References

- A. BPA HR Directive 410-05: Employee Pay and Compensation Incentives
- B. BPA HR Directive 410-09: Occupational Medical Health and Wellness Related Programs
- C. Executive Order 13266, Activities to Promote Personal Fitness
- D. 5 U.S.C. 7901, Health Service Programs
- E. 5 U.S.C. 7902, Safety Programs
- F. 5 CFR 339, Medical Qualification Determinations
- G. 29 CFR 1960, Basic Program Elements for Federal Employees (OSHA)
- H. 29 CFR 1910.1030, Bloodborne Pathogens
- I. DOE O 341.1A, Federal Employee Health Services
- J. DOE O 343.1, Federal Substance Abuse Testing Program
- K. DOE G 341.1-2A, Guide on Federal Employee Assistance Program

## 9. Revision History

This chart contains a history of the revisions and reviews made to this document.

Version Number	Issue Date	Description of Change/Review
1.0	1/19/2016	Initial publication.
2.0	4/18/2016	Style, formatting, and grammar changes.

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